

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN LESTER COX,

Plaintiff,

v.

Mr. EVELYN *et al.*,

Defendants.

Case No. C04-5557RBL

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITHOUT PREJUDICE**. Plaintiff has failed to exhaust available administrative remedies and failed to keep the court apprized of a current address. Either of these short comings would result in dismissal without prejudice.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. Karen L. Strombom.

DATED this 31st day of October, 2005.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE